

INTERVIEW SUMMARY

The Applicants thank the Examiner for his time on March 31, 2009, to discuss this case. During the interview, Applicants were represented by Janet Pioli of Brinks Hofer Gilson & Lione, and Richard Godlewski of the Cook Group. The Applicants' attorneys discussed the rejections in view of the cited references, in particular Rodriguez, Radisch, Stevens, Chaisson, Ferrera, and Clayman. Applicants' representatives showed Examiner Towa a guide wire of one embodiment of the invention to help illustrate the features not taught or disclosed in the prior art, and in particular the various zones of differing stiffness or flexibility and their relationships to one another. Applicants pointed out to Examiner Towa that the primary reference relied upon (Rodriguez) does not disclose the various zones or their particular relation to one another. Applicants' representatives further pointed out to Examiner Towa that the Chaisson reference, relied on by Examiner Towa to show a J-shaped guidewire tip, does not disclose a J-shaped guidewire tip, but only a shaped catheter and that the tip of the guidewire of Chaisson is not in fact curved.

Applicants further pointed out to Examiner Towa the differences between Applicants' novel guidewire and the Stevens reference, namely that Stevens was directed to the treatment of the cardiac anatomy and discloses a device that actually penetrates the cardiac valve to reach the cardiac anatomy and that Applicants' invention, to the contrary, is addressed to treatment of the vasculature (the thoracic artery) and specifically seeks to avoid penetrating the valve

Examiner agreed to consider amendments or new claims specifically pointing out Applicants' inventive guidewire. No other agreement was reached.

REMARKS

In the Final Office Action dated February 3, 2009, claims 1, 3, 4, 7-9, 11, 12, 14, 28, and 35-47 were pending, all of which were rejected.

Claims 1, 3-4, 8-9, 12, 14, 36-37, 40-44 and 46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,421,349 to Rodriguez et al. ("Rodriguez") in view of U.S. Patent No. 5,295,493 to Radisch, Jr. ("Radisch"), further in view of U.S. Patent No. 5,584,803 to Stevens et al. ("Stevens") and even further in view of U.S. Patent No. 6,086,548 to Chaisson et al. ("Chaisson"). Claims